



ADULT PROTECTION AND SAFEGUARDING POLICIES & PROCEDURES

Policy Approval and Review

Date of Board Ratification	Signed	Position	Date	Review due date
4.2.21	Sharon Burnett	CEO	5.2.21	5.2.22
9.6.22	Sharon Burnett	CEO	9.6.22	9.6.23

1.0 Introduction

- 1.1** The Adult Protection and Safeguarding Policy of Causeway & Mid-Ulster Women's Aid (C&MUWA) sets out the organisation's position on the protection and promotion of the welfare of Adults at Risk of Harm or In Need of Protection. It also provides information as to how to respond to an emergency situation when an individual's health and/or wellbeing is at risk
- 1.2** C&MUWA promotes a culture of zero-tolerance of harm to adults and recognises that some adults may be at risk of harm or in need of protection to prevent harm from abuse, exploitation or neglect and that individual circumstances may increase that risk; therefore, the early identification of these must be a priority for all staff and volunteers.
- 1.3** This policy has been developed in line with guidance from the core document 'Adult Safeguarding: Prevention and Protection in Partnership' (revised version 2017)

2.0 Policy Statement

- 2.1** Abuse is a violation of an individual's human and civil rights and can take many forms. C&MUWA, its Board, staff and volunteers are committed to practice which promotes the welfare of 'Adults at Risk' and 'Adults in Need of Protection' and safeguards them from harm.
- 2.2** C&MUWA accepts and recognised their responsibilities to develop awareness of the issues that can harm adults at risk of harm or in need of protection, and to establish and maintain a safe environment for them. C&MUWA will not tolerate any form of abuse wherever it occurs or whoever is responsible. We are committed to promoting an atmosphere of inclusion, transparency and openness and are open to feedback from the people who use our services (carers, advocates, staff and volunteers) with a view to how we may continuously improve our services.
- 2.3** C&MUWA will endeavour to safeguard adults at risk of harm or in need of protection by:
 - Adhering to our Adult Protection & Safeguarding Policy and ensuring it is supported by robust procedures
 - Following the procedures laid down for the recruitment and selection of staff
 - Providing effective management for staff and volunteers through induction, supervision, support and training
 - Implementing clear procedures for raising awareness of and responding to abuse within the organisation and for reporting concerns to the relevant statutory agencies.
 - Ensuring general safety and risk management procedures are adhered to.
 - Promoting full participation and having clear procedures for dealing with concerns & complaints
 - Managing personal information confidentiality and having information sharing processes/protocols in place.
 - Safeguarding adults at risk of harm or in need of protection by implementing a Code of Conduct for all involved including visitors.
- 2.4** The core of this policy and associated procedures only relate to situations where an adult is 'at risk of harm' or 'in need of protection' from another individual or organisation. Where the individual is at risk from themselves i.e. through self-

harming, suicidal ideation or threat then the matter should be reported directly to the PSNI and or ambulance service as appropriate.

- 2.5** There are also protective measures for limiting abuse within other C&MUWA policies. This policy should therefore be read in conjunction with the following.
- Recruitment & Selection Policy
 - Confidentiality Policy
 - Code of Conduct
 - Equal Opportunities for Staff Policy
 - Equal Opportunities for Service Users Policy
 - Volunteering Policy
 - Whistle Blowing Policy
 - Comments and Complaints Policy
 - Disciplinary Procedures
 - Needs and Risk Assessment & Support Planning Policy
 - Staff Training Development & Supervision Policy
 - Data Protection
- 2.6** Breaches of the Adult Protection & Safeguarding Policy and Procedures by staff will be regarded as misconduct and may lead to disciplinary proceedings.
- 2.7** Any comments or complaints in relation to the Adult Protection & Safeguarding Policy should be in the first instance raised with a member of the Senior Management Team, who will carry out an investigation in line with the Comments and Complaints Policy.
- 2.8** This policy and associated procedures will be reviewed annually or in the event of an occurrence that necessitates change and to reflect any legislative change.

3.0 Definitions

3.1 Abuse:

- 'Abuse is a single or repeated act, or lack of appropriate action, usually occurring within a relationship where there is an expectation of trust, which causes harm or distress to another individual or violates their human or civil rights' Action on Elder Abuse 1993
- Categories of abuse include but are not limited to: physical abuse, sexual violence and abuse, psychological/emotional abuse, financial abuse, institutional abuse, neglect, acts of omission, exploitation.
- Abuse is the misuse of power and control that one person has over another. It can involve direct and indirect contact and can include online abuse.
- Abuse can happen anywhere including in someone's own home, at a carer's home, within a day care, residential care, nursing care or other institutional setting, at work or in educational settings, in rented accommodation or commercial settings and in public places.
- Abusers can come from all sections of society, all professions and all races and can be male or female.
- In addition to the above different forms of abuse, abusive behaviour may be **any** behaviour, deliberate or otherwise, which is offensive to an individual or a group and which may threaten an individual or a group or create an intimidating environment. That behaviour becomes unacceptable if it is unwanted, unreasonable, and offensive to the recipient. It is not the motive

of the perpetrator(s) but the act and its impact on the recipient which determines whether the behaviour is a form of abuse.

3.2 Related processes:

There are three 'related definitions' which interface with Adult Safeguarding each of which have their own safeguarding processes:

- Domestic violence and abuse and the Multi Agency Risk Assessment Conferencing (MARAC) process.
- Human Trafficking and the National Referral Mechanism
- Hate Crime and the Hate Incident Practical Action (HIPA) scheme.

3.3 Adults at Risk of Harm:

- An 'adult at risk of harm' is a person aged 18 or over, whose exposure to harm through abuse, exploitation or neglect may be increased by their personal characteristics and/or life circumstances.
- Personal characteristics may include, but are not limited to, age, disability, special educational needs, illness, mental or physical frailty or impairment of, or disturbance in the function of the mind or brain.

3.4 Adults in Need of Protection:

- An 'adult in need of protection' is a person aged 18 or over, whose exposure to harm through abuse, exploitation or neglect may be increased by their:

A: personal characteristics

and/or

B: life circumstances

AND

C: who is unable to protect their own well-being, property, assets, rights, or other interests.

AND

D: where the action or inaction of another person or persons is causing, or is likely to cause, him/her to be harmed.

In order to meet the definition of an 'adult in need of protection' either (A) **OR** (B) **MUST** be present, in addition to **BOTH** elements of (C) **AND** (D).

3.5 Life Circumstances

Life circumstances may include, but are not limited to, isolation, socio-economic factors and environmental living conditions.

4.0 Roles

4.1 The Adult Safeguarding Champion (ASC):

- As an organisation that has staff and volunteers who are required to be vetted under the Safeguarding Vulnerable Groups (NI) Order 2007 C&MUWA is required to appoint an Adult Safeguarding Champion (ASC).
- The Adult Safeguarding Champion (ASC) within C&MUWA will be the Chief Executive Officer (CEO).
- The ASC is responsible for providing strategic and operational leadership and oversight in relation to adult safeguarding for the organisation and ensuring that minimum expectations are met
- Key responsibilities for the ASC include:
 - Providing information support and advice to staff and volunteers
 - Ensuring that the Adult Safeguarding Policy is disseminated and implemented throughout the organisation
 - Advising the organisation on adult safeguarding training needs
 - Ensuring reports are made to the HSC Trust where there is a safeguarding concern
 - Supporting staff in relation to adult safeguarding concerns and reporting
 - Establishing links with the HSC trust Designated Adult Protection Officer (DAPO)
 - Ensuring accurate and up to date records are maintained
 - Compiling an annual Adult Safeguarding Champions Position Report to be available for inspection on request.
 - Delegating authority in respect of Adult Safeguarding matters to other named Appointed Persons within the organisation.

4.2 Appointed Persons (AP's):

- The Adult Safeguarding Champion may delegate operational responsibilities for safeguarding matters to one or more Appointed Person (AP) within the organisation who have the authority to manage safeguarding issues on a day-to-day basis or in the absence of the ASC.
- The Appointed Persons within C&MUWA will be members of the Senior Management Team
- The AP will usually be the first point of contact for staff with adult safeguarding concerns and will support the staff and ensure appropriate actions are taken in terms of reporting; liaising with other AP's and the ASC as required and appropriate.
- The AP will report regularly to the ASC and the management board in respect to any adult safeguarding matters arising.

5.0 Implementation

- 5.1** All staff and volunteers will be made aware of the Adult Protection & Safeguarding Policy during their induction period. This will include providing a copy of the policy to staff, raising awareness that abuse can take place, the forms it can take and the worker's duty to report.
- 5.2** All service users will be made aware of the Adult Protection & Safeguarding Policy on uptake of the service. This will include raising awareness that abuse can take place, the forms it can take and how to report it. This will be done through the

Resident's Handbook (in Refuge), the Floating Support Service Users Handbook, service leaflets and posters.

- 5.3** All staff will understand the policy and will be able to recognise and fulfil their responsibilities. All staff will be made aware of the additional responsibilities of the organisation to safeguard vulnerable adults report and use internal mechanisms to raise these concerns with the ASC or Appointed Persons.
- 5.4** All staff will receive adult safeguarding training at level I or level II dependent on their role in the organisation. The ASC and Appointed Persons will receive specialist level III training in Adult Safeguarding.
- 5.5** All allegations of abuse against staff will be taken seriously and, where appropriate, disciplinary action taken. Staff will be responsive and supportive to anyone who makes an allegation of abuse making it clear to the complainant that it will be investigated fairly; that they will be kept informed; that confidentiality will be maintained (except in those circumstances outlined in the Confidentiality Policy); and that Causeway & Mid-Ulster Women's Aid Women's Aid will take steps to ensure that there is no further problem of abusive behaviour or victimisation within services. Any complaint of victimisation will be dealt with seriously, promptly, and efficiently. In addition, appropriate support will be provided to anyone involved in the incident of abuse.
- 5.6** Procedures will be drawn up to ensure that service users are protected from abuse.
- 5.7** The ASC and/or her Appointed Persons will ensure that all allegations of abuse are assessed to identify whether or not the service user involved is an adult at risk or an adult in need of protection and if so, additional reporting requirements laid out in the attached procedures will be adhered to.
- 5.8** Recording systems will be in place to record complaints, concerns, accidents and incidents and all staff should work to them.
- 5.9** Where an adult protection or safeguarding concern also affect a child either as an alleged abuser or as a victim or witness of abuse, the Child Protection Policy and procedures must be followed in parallel with the Adult Safeguarding procedures.

PROCEDURAL GUIDANCE

1.0 Roles

- 1.1** For the purposes of Adult Safeguarding and Protection the following roles are held by member of the Senior Management Team:
- CEO – Adult Safeguarding Champion (ASC)
 - Accommodation / Refuge Manager (Coleraine & Cookstown)– Appointed Person
 - Service Managers (Causeway & Mid-Ulster Women's Aid & Mid-Ulster)– Appointed Person
 - Finance Manager – Appointed Person

2.0 Capacity and Consent

- 2.1** Adults at risk of harm or in need of protection should be central to any actions to prevent or protect them from harm; their wishes should be of paramount importance in all cases of alleged or suspected abuse. As such Causeway & Mid-Ulster Women's Aid will always seek to work in the best interests of the adult and with their consent. Where possible and appropriate their consent will be sought and obtained prior to making a safeguarding referral.
- 2.2** In certain situations, the need for consent may be overridden. This is generally when it is in the public interest to do so e.g., the disclosure of information to prevent a crime or to prevent risk to life or health.

2.3 Consent

Consent is a process resulting from understanding through dialogue and the provision of information. Consent can only be considered to be valid when:

- The adult has capacity to consent
- AND
- The adult has been given sufficient adequate and appropriate information on which to base the decision.
- AND
- The decision has been made voluntarily free from coercion and/or undue influence

- 2.4** No one can give or withhold consent on behalf of another adult unless appropriate legal provision is in place.

- 2.5** The ability to give or withhold consent should always be presumed unless established otherwise.

2.6 Capacity

An adult will be considered to have capacity to consent if they have the ability to understand and weigh up the information needed to make a decision.

- 2.7** An adult will always be assumed to have capacity to make a decision unless there is information or evidence to the contrary.

- 2.8** If there is any concern or doubt about a person's capacity to give consent then the HSC Trust Adult Protection Gateway Service should be contacted for

advice. They may recommend that the matter be passed to the HSC Adult Protection Officer (DAPO) to have a capacity assessment completed.

3.0 Reporting Suspected Abuse

- 3.1** The safety and protection of any individual experiencing abuse is the first priority. Anyone who suspects or knows that abuse is taking place should raise their concerns by following the procedures set out in this guidance.
- 3.2** In the first instance all allegations of abuse should be reported to an Appointed Person. In most cases the staff member should report the matter to the Appointed Person who is also their line manager. In the absence of their line manager, they should report to one of the other Appointed Persons. In the absence of any Appointed Person or if the allegation is against an Appointed Person the matter should be reported to the Adult Safeguarding Champion.
- 3.3** If the allegation is against the ASC, the matter should be reported to an Appointed Person who will liaise with the other Appointed Persons and the Chair of the Management Board in response to the matter.
- 3.4** If neither an Appointed Person nor the ASC is available and to delay would be detrimental to the service user or immediate/ short term delivery of services, the most senior member of staff available should be informed. It will be their responsibility to ensure that all emergency actions required are carried out and details recorded. An Appointed Person or the ASC must then be informed as soon as is possible to ensure assessment and subsequent appropriate investigation and actions are completed.

4.0 Response to Report of Abuse

- 4.1** When an alert is received in relation to an adult safeguarding concern or disclosure the ASC or Appointed Person to whom the matter is reported will take the following steps:
 - Consider whether the incident or situation reported constitutes a potential concern?
 - Consider whether the concern should be treated as a safeguarding issue or not i.e., does it involve a person who is at risk of harm or in need of protection?
 - If there is any doubt as to whether the matter is in fact a safeguarding issue the matter will be discussed with the HSC Trust Key Worker or the HSC Trust Adult Protection Gateway as appropriate and available.
 - Where immediate danger exists, or the situation warrants immediate action ensure that medical assistance is sought (if required) and refer to the HSC Trust Adult Protection Gateway Service and/or PSNI as appropriate.
- 4.2** **No Safeguarding Issue**

Where it has been deemed that it is **not** a safeguarding issue (i.e., the situation does not involve a person at risk of harm or in need of protection) and/or the incident or actions reported are not of concern; other alternative responses will be considered including.

 - Monitoring, support, or advice to staff/volunteers.

- Recording the matter as an incident in the incident log including details of any action taken and the reasons for not referring.
- Monitoring the situation on an ongoing basis.
- Taking any other appropriate action in line with other organisational policies i.e., recording a complaint, following staff disciplinary procedures.

4.3 Where it is decided that the matter **is** a safeguarding issue (i.e., it does involve a person at risk of harm or in need of protection) and the incident/situation is of concern; the matter will be reported to the individuals HSC Trust Key Worker if known. If the individual does not have a Key Worker a referral will be made to the HSC Trust Adult Protection Gateway Service. The HSC Trust will then conduct a risk assessment and decide what response is appropriate.

BEFORE MAKING A REFERRAL THE MATTERS OF CAPACITY AND CONSENT MUST BE CONSIDERED

4.4 Capacity & Consent

Where it is decided that the matter is a safeguarding issue (i.e., it does involve a person at risk of harm or in need of protection) and the incident/situation is of concern; then the matter of capacity and consent should be considered. As detailed in section 2.0 above capacity should be assumed unless there is specific information available that the individual concerned does not have capacity. Any final decision on the issue of capacity and consent will be made on a case-by-case basis in consultation between the AP's and the ASC.

Safeguarding Issue (with capacity and consent)

Consult with individual concerned. Report the matter to HSC Trust key worker or HSC Trust Adult Protection Gateway Service as appropriate. Report to PSNI if appropriate. Follow all other relevant procedures as detailed below. Provide feedback and relevant support to individual concerned.

Safeguarding Issue (with capacity but no consent)

C&MUWA staff are not qualified to assess an individual's capacity but as noted above capacity should be assumed unless staff have specific information to indicate otherwise. Where capacity is reasonably assumed to exist, the individual concerned should be consulted however if they do not consent to a referral a decision needs to be taken as to whether to proceed with a referral. This decision will be made on a case-by-case basis in consultation between the AP's and the ASC taking into account the nature of the risk to the individual, the individual's personal circumstances and input from the staff involved in the case. In addition, advice will be sought from the HSC Adult Protection Gateway Service in the form of a general enquiry. Where a referral is made without consent the decision process will be clearly recorded, and feedback and support provided to the individual concerned.

Safeguarding Issue (no capacity)

Where staff are aware that the individual does not have capacity then a referral will be made to the HSC Key Worker or HSC Adult Protection Gateway Service and PSNI if appropriate. Provide feedback and relevant support to individual concerned.

Safeguarding Issue (capacity not known)

Where there is any doubt as to capacity staff will initially seek advice from HSC Key Worker (if known) or the HSC Adult Protection Gateway service through a general enquiry. The Trust may decide to appoint a Designated Adult Protection Officer (DAPO) to complete a capacity assessment. Dependent on the timeline for completion of this process and the nature or the allegation/ level of immediate risk to the individual it may ultimately be necessary to proceed with the safeguarding referral in the absence of consent in order to prevent further harm. Such decision will be made on a case-by-case basis in consultation between the AP's, the ASC, and the HSC Adult Protection Gateway Service.

- 4.5** If a crime is suspected or alleged, then the matter will be referred directly to the HSC Trust Adult Protection Gateway Service and/or the PSNI.

4.6 Third party/ Anonymous Referrals

On occasion C&MUWA staff may receive anonymous and/or third-party referrals in respect of concerns for individuals who **may** be at risk of harm or in need of protection. In these cases, where the individual alleged to be at risk is not known to the organisation the AP or ASC receiving the report should pass the details directly to the HSC Adult Protection Gateway Service as additional information and decision making will not be possible on the part of C&MUWA staff.

- 4.7** Once a referral is made the Appointed Person or ASC will act as a liaison point for any investigative activity required and comply with requests to access case records or meet with staff. They will not carry out any investigative activities themselves as it is not appropriate to the role.

- 4.8** Dependent on the nature of the allegations and the outcome of the decision-making process detailed above additional actions may be completed in line with the procedures noted below and any other C&MUWA Policies and Procedures which are being followed i.e., Comments & Complaints, Child Protection or Disciplinary

- 4.9** Accurate and timely records will be kept, and any documentation required will be completed.

5.0 Additional Procedures

5.1 Allegations Against C&MUWA Staff Members

Where allegations of abuse are made against a member of C&MUWA staff these will be dealt with in line with C&MUWA Disciplinary Procedures which will run in parallel with the Safeguarding Procedures.

- 5.2** In addition, C&MUWA have a duty to report the matter to the Trust and/or the PSNI as appropriate and support any investigations carried out by these organisations. Reference will also be made to the requirements of project funders who may have additional reporting requirements in the event of a serious incident.

- 5.3** In addition, C&MUWA will refer the matter to the Independent Safeguarding Authority when as an employer they have dismissed an employee or removed them from regulated activity role:

- For engaging in relevant conduct

- Where the individual has been convicted of a relevant offence
 - The worker is considered capable of harming a child or vulnerable adult. (A harm test will be used to establish this.)
 - If a worker resigns or retires or is made redundant under any of the above circumstances.
- 5.4** Reference will also be made to the requirements of project funders who may have additional reporting requirements in the event of serious incident. These will be addressed on a case-by-case basis.
- 5.5** Should the allegation against a member of staff be made by a service user or external agency in the form of a complaint (or is treated as a complaint) the C&MUWA Comments & Complaints Policy & Procedures will be followed and will also run in parallel with the safeguarding process.
- 5.6** **Allegations Against Service Users in C&MUWA Refuge**
Where an allegation of abuse is made against a service user living in C&MUWA Refuge by another service user or an external body then this will be treated as a complaint and the C&MUWA Comments & Complaints Policy and Procedure's will be followed in parallel with the safeguarding procedures. Reference will also be made to the Refuge 'Asked to Leave' procedures. Where there are children involved the C&MUWA Child Protection Policy & Procedures will also be followed.
- 5.7** Dependent on the nature of the allegation it may be deemed necessary to seek alternative accommodation for the service user (and any children accommodated with her) against whom the allegation has been made pending completion of any investigations. This decision will be made on a case-by-case basis in consultation between the AP's and the ASC.
- 5.8** C&MUWA will support the service user against whom the allegation was made in obtaining alternative accommodation. Consideration of alternative accommodation options will depend on the nature of the alleged abuse and its seriousness. Information on the nature of the investigation will be included on the information provided to other organisations accessed to source alternative accommodation.
- 5.9** Should the investigation find that there is **not** a case to answer, the service user against whom the allegation was made, and her children may return to the Refuge or be offered alternative accommodation in line with her wishes and the advice of C&MUWA staff. If she returns to the Refuge, she will be offered additional support. When recording information on a service users file, staff should follow guidelines on recording set out in the Confidentiality Policy
- 5.10** Should the investigation find that there **is** a case to answer, C&MUWA may notify social services and/or the police as appropriate. The service user and her family will not be allowed back to the Refuge but C&MUWA staff will make reasonable attempts to assist them to find alternative accommodation and support. Information on the nature of the investigation, and the outcome, should be included in the information provided to other agencies contacted as a result of investigation finding that there is a case to answer.
- 5.11** Where an allegation of abuse is made by one service user against another and that allegation is found to be malicious the service user making the allegation may be asked to leave Refuge. This decision will be made on a case-by-case basis in consultation between the AP's and the ASC. If asked to leave C&MUWA staff will follow 'Asked to Leave Refuge' procedures and will make

all reasonable efforts to assist them to find alternative accommodation and support.

5.12 Allegations Against a Service User in Non-Accommodation Based C&MUWA Services

Where an allegation of abuse is made against a service user availing of C&MUWA community-based services by another service user or an external body then this will be treated as a complaint and the C&MUWA Comments & Complaints Policy and Procedures will be followed in parallel with the safeguarding procedures. Where there are children involved the C&MUWA Child Protection Policy & Procedures will also be followed.

5.13 In line with procedures an investigation will be carried out. During the investigation period C&MUWA staff will put in place all necessary measures required to ensure that the parties involved are not expected to access group services together, including exclusion from group sessions with alternative support offered.

5.14 Should the investigation find that there is **not** a case to answer then the individuals excluded from group activities will be offered the option of returning to group activities in line with their wishes and the advice of C&MUWA staff. If this is not an option for the service user or this option is refused the alternative measures will continue to be provided.

5.15 Should the investigation find that there **is** a case to answer then the alternative arrangements put in place will continue to be supported by C&MUWA staff. This will be reviewed regularly to assess risk to staff.

5.16 Allegations of Abuse Against Visitors to C&MUWA Premises (Including Contractors)

C&MUWA have put the following measures in place in respect of visitors and contractors on site:

- There must be a member of staff on site whenever there are contracted workers on the premises during normal opening/operational hours.

5.17 Where an allegation of abuse is made against a visitor to C&MUWA premises this will be treated as a complaint and the C&MUWA Comments & Complaints Policy and Procedures will be followed in parallel with the safeguarding procedures.

If the visitor against whom the allegation has been made is on site for professional or business purposes the matter may be reported to their employer. This will be decided on a case-by-case basis in consultation between the AP's and the ASC.

5.18 Any complaint will be investigated and during this time the visitor/contractor will not be allowed on the premises. Alternative venues (in the case of professionals) or contractors will be sought during this period.

5.19 If the investigation finds that there is **not** case to answer, then the visitor/contractor will be permitted back on the premises as previously.

5.20 If the investigation finds that there is a case to answer the visitor/contractor will continue to be excluded from the premises and (if it has not already been done) the matter may be reported to their employer.